

MESSAGE NO: 7265111 MESSAGE DATE: 09/22/1997

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: OTH-Other PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-588-201, A-588-203

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/24/1992 TO 12/13/1992

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: REFUND OF EXCESS ANTIDUMPING DUTY DEPOSITS POSTED BY NIPPON SEIKO K.K. (NSK) BALL BEARINGS (BSS) & CYLINDRICAL ROLLER BEARINGS(CRBS)FROM JAPAN

MESSAGE NO: 7265111

DATE: 09 22 1997

CATEGORY: ADA

TYPE: OTH

REFERENCE:

REFERENCE DATE:

CASES: A - 588 - 201

A - 588 - 203

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PERIOD COVERED: 06 24 1992 TO 12 13 1992

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,  
PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: REFUND OF EXCESS ANTIDUMPING DUTY DEPOSITS POSTED  
BY NIPPON SEIKO K.K. (NSK) BALL BEARINGS (BSS) &  
CYLINDRICAL ROLLER BEARINGS(CRBS)FROM JAPAN

1. THE DEPARTMENT OF COMMERCE HAS DETERMINED THAT NSK POSTED EXCESS ANTIDUMPING DUTY DEPOSITS ON BBS & CRBS DURING THE PERIOD 06/24/92 THROUGH 12/13/92. THE FOLLOWING LIST INDICATES THE DEPOSIT RATES THAT WERE INCORRECTLY ASSIGNED TO MANUFACTURER/ EXPORTER NSK IN THE FINAL RESULTS OF REVIEW AND THE CORRECT DEPOSIT RATES THAT WERE REFLECTED IN THE AMENDED FINAL RESULTS PUBLISHED ON 12/14/92 (57 FR 59080).

INCORRECT AMENDED

CLASS OR KIND	10-DIGIT CASE NUMBER	RATE	RATE
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BBS	A-588-201-008	7.22	4.62
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CRBS	A-588-203-008	14.34	12.69
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2. COMMERCE INCORRECTLY CALCULATED THE ANTIDUMPING DUTY MARGINS

FOR THE ADMINISTRATIVE REVIEW UNDERLYING THE ABOVE INCORRECT RATES IN A WAY THAT WAS ADVERSE TO THE IMPORTER. COMMERCE MADE CLERICAL ERRORS BY SUBTRACTING INCORRECT AMOUNTS FROM U.S. PRICE FOR U.S. INLAND FREIGHT EXPENSES AND BY FAILING TO SUBTRACT INDIRECT SELLING EXPENSES FROM FOREIGN MARKET VALUE IN THE CALCULATION OF MARGIN AMOUNTS. THESE CLERICAL ERRORS RESULTED IN EXCESSIVE MARGIN RATES. THE COURT OF INTERNATIONAL TRADE AFFIRMED THE CLERICAL ERRORS AND ORDERED THE ISSUANCE OF A REFUND IN SLIP OP. 96-50. THEREFORE, FOR ALL SHIPMENTS BY NSK OF BBS AND CRBS FROM JAPAN ENTERED, OR WITHDRAWN FROM WAREHOUSE, DURING THIS PERIOD FOR WHICH NSK POSTED A DEPOSIT RATE EQUAL TO THE INCORRECT RATE LISTED ABOVE, YOU ARE INSTRUCTED TO GRANT A REFUND OF THE AMOUNT OF EXCESS ANTIDUMPING DUTY DEPOSITS BASED ON THE DIFFERENCE BETWEEN THE INCORRECT RATE (POSTED DUE TO THE APPLICATION OF THE INCORRECT RATE) AND THE AMENDED RATE. INTEREST ON OVERPAYMENT DUE TO THESE CLERICAL ERRORS WILL BE PAID IN ACCORDANCE WITH NORMAL ESTABLISHED PRACTICE UNDER 19 U.S.C. 1520(a)(4).

3. DO NOT LIQUIDATE ANY OF THE ABOVE ENTRIES UNTIL LIQUIDATION INSTRUCTIONS ARE RECEIVED.

4. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, IMPORT OPERATIONS, ANTIDUMPING/ COUNTERVAILING DUTY, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT LYN JOHNSON AT(202)482-5287, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

5. THERE ARE NO RESTRICTIONS ON RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party